

**Notice of Allowability**

Application No.

09/543,534

Examiner

Lynda M Salvatore

Applicant(s)

ROKMAN ET AL.

Art Unit

1771

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 02/06/04.
2. ☒ The allowed claim(s) is/are 51-60.
3. ☒ The drawings filed on 05 April 2000 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
  1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

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|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment                               |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance   |
|   | 9. <input type="checkbox"/> Other _____.   |

**DETAILED ACTION**

1. Applicant's after final amendment and remarks filed 02/06/04 have been fully considered and entered. Applicant's amendment to claim 1 has been found sufficient to overcome the rejection of claims 51-57 and 60 rejected under 35 U.S.C. 103(a) as being unpatentable over Hannes et al., US 4,112,174 in view of Weeks, 5,409,573 as set forth in section 3 of the Final Office Action. Thus, this rejection is hereby withdrawn. In addition, the rejection of dependent claims 58 and 59 rejected under 35 U.S.C. 103(a) as being unpatentable over Hannes et al., US 4,112,174 in view of Weeks, 5,409,573 and further in view of Helwig et al., US 6,054,022 as set forth in section 4 of the Final Office Action is also withdrawn. Specifically, Applicant amended claim 51 to recite the limitation of "100 %" with respect to the amount of reinforcement (glass) fibers disposed in fiber bundles. Accordingly, claims 51-60 are found allowable over the prior art of record for reasons set forth herein below.

***Allowable Subject Matter***

2. The following is an examiner's statement of reasons for allowance: claims 51-60.

Claims 51-60 are allowable over the prior art of Hannes et al. The patent issued to Hannes et al., fails to teach or fairly suggest a plurality of fibers disposed in a non-woven mat wherein substantially 100% of said fibers are disposed in fiber bundles, wherein said fiber bundles have between 5-450 fibers per bundle and the length of said bundles of the fibers forming said bundles, and wherein at least 85% of said fibers of said fiber bundles have a diameter of between about 7-500 microns; wherein said fibers in said fiber bundles are held together with a substantially water insoluble sizing, and wherein the integrity of the mat is increased by means of heat activated binder fibers. An updated art search did not produce any

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new substantial art for which to base a rejection and no motivation exists to combine references to form an obvious type rejection. Thus, independent claim 51 is allowable. In addition, dependent claims 52-60 are also allowable as they depend directly or indirectly from independent claim 51.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lynda M Salvatore whose telephone number is 571-272-1482. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Terrel Morris can be reached on 571-272-1482. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

March 1, 2004

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SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 1700